



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

June 20, 2008

GENERAL LETTER NO. 17-F(3)-2

ISSUED BY: Division of Child and Family Services

SUBJECT: Employees' Manual, Title 17, Chapter F(3), ***ADDITIONAL PERMANENT PLACEMENT INFORMATION***, Topic 2: "Grounds for Termination of Parental Rights," page 2, revised.

Summary

This letter reflects legislative changes to Iowa Code sections 232.102, "Transfer of legal custody of a child and placement," and 232.116, "Grounds for termination," as a result of Senate File 2212, enacted by the 2008 session of the Iowa General Assembly.

This Code change allows the court to consider a prior termination of parental rights that occurred in another state to a child in the same family as an aggravated circumstance to waive reasonable efforts, or as grounds to file termination of parental rights.

Effective Date

July 1, 2008

Material Superseded

Remove the following page from Employees' Manual, Title 17, Chapter F(3), and destroy it:

Page

Date

Topic 2

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March 28, 2008

Additional Information

Refer questions about this general letter to your area social work administrator.

When the child has been **adjudicated a child in need of assistance**, the following additional grounds apply:

- ◆ The court has terminated parental rights with respect to another child in the same family, either in Iowa or by a court in another state, and:
 - The parent continues to lack the ability or willingness to respond to services which would correct the situation, and
 - An additional period of rehabilitation would not correct the situation.
- ◆ The circumstances surrounding the parent's conviction for one of the following result in a finding of imminent danger to the child:
 - Child endangerment resulting in the death of the child's sibling;
 - Three or more acts of child endangerment involving the child, the child's sibling, or another child in the household; or
 - Child endangerment resulting in a serious injury to the child, the child's sibling, or another child in the household.
- ◆ Custody has been transferred from the child's parents for placement, and the parent found to have physically or sexually abused or neglected the child has been:
 - Convicted of a felony and
 - Imprisoned for physically or sexually abusing or neglecting the child, the child's sibling, or any other child in the household.
- ◆ Custody has been transferred from the child's parents for placement, and either:
 - The parent has been imprisoned for a crime against the child, the child's sibling, or another child in the household, or
 - The parent has been imprisoned and it is unlikely that the parent will be released from prison for a period of five or more years.
- ◆ Custody has been transferred from the child's parents for placement, and:
 - The parent has a chronic mental illness, has been repeatedly institutionalized for mental illness, and presents a danger to self or others as evidenced by prior acts; and
 - The parent's prognosis indicates that the child will not be able to be returned to the custody of the parent within a reasonable period of time considering the child's age and need for a permanent home.